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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/636,359 | 08/11/2000 | Robert E. Reuter | 000519 | 7892 |

23464 7590 08/13/2003

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PITTSBURGH, PA 15219

EXAMINER

NGUYEN, CHI Q

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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3635

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/636,359

Applicant(s)

REUTER ET AL.

Examiner

Chi Q Nguyen

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18, and 52-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17, 18, 55 and 56 is/are allowed.
- 6) ☒ Claim(s) ~~1-13~~ 13, 15, 16 and 52-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____.

DETAILED ACTION

This Office action is acknowledged the receipt the copies of declarations filed by Robert E. Reuter, Charles Rozier, and Wallace Bullwinkle to declare the filing date of the instant application was prior than the US 6,260,324 patented to Miedema filing date. Therefore the previous finality is withdrawn and the new art and new ground of rejections are presented as following:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 6-13, 15, 16, and 52, 54 are rejected under 35 U.S.C. 102(e) as being anticipated by Charman (U.S. 4,631,881).

Charman shows an office screen and partitions comprising a rigid frame assembly 17, 18, free stands 14, a plurality of top, intermediate, and bottom brackets 40 (figs. 3 and 5) mounting on the rigid frames 17, 18, a pair of top 19, intermediate 20, bottom 21 facing panels assembly having mounting means on the edged of the facing panels (fig. 7), an unobstructed cavity is defined between the inward facing back surface of the panels and the outward facing exterior surfaces of the extension posts 15, 16 which upper spaces generally are defined along the vertical length of each respective extension post 15, 16. The unobstructed cavity, therefore, permit passage 80 of the

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cabling as well as the horizontal rails 24, 25 horizontally across the extension post 15, 16 and along the entire length of the wall panel system, and a crown member 95 on the top of the panel assembly (see figs. 1-7).

Allowable Subject Matter

3. Claims 17-18 and 55-56 are previously allowed.

The following is an examiner's statement of reasons for allowance: The prior art fail to disclose or render obvious the claimed combination including the crown member having an upper, lower angled, an inclined clamping surface, an up-mount and down bracket as specifically set forth in the claims.

Response to Arguments

4. Applicant's arguments filed on 2/26/03 with respect to claims 1, 2, 6-13, 15-16, and 52, 54 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chi Q. Nguyen whose telephone number is (703) 605-1224, Monday-Thursday (7:00-5:30), Fridays off or examiner's supervisor, Carl Friedman can be reached at (703) 308-0839. The fax number for the organization where this application or proceeding assigned are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



CQN
8/5/03



Carl D. Friedman
Supervisory Patent Examiner
Group 3600